



House of Representatives

File No. 894

General Assembly

January Session, 2011

(Reprint of File No. 382)

House Bill No. 6100
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
June 3, 2011

AN ACT CONCERNING IMPROVEMENT DISTRICTS IN THE TOWN OF WINDSOR.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (*Effective July 1, 2011*) (a) For purposes of this section:
- 2 (1) "District" means that certain real property, situated in the town
3 of Windsor, the County of Hartford and the state of Connecticut, the
4 Great Pond Improvement District, a body politic and corporate and
5 deemed to be established pursuant to section 7-325 of the general
6 statutes, consisting of the area bounded and described in three parcels
7 as follows: A certain parcel of land being situated on the easterly
8 intersection of Day Hill Road and Blue Hills Avenue, Beginning point
9 intersection of Day Hill Road and Blue Hills Avenue at the westerly
10 corner of the herein described parcel; thence Easterly, along the
11 southerly sideline of Day Hill Road, along a curve to the right having a
12 radius of 22.15 feet, a delta angle of 50°33'29", and an arc distance of
13 19.55 feet (chord bearing N53°58'45"E, a distance of 18.92 feet) to a
14 point; thence N79°15'29"E, continuing along said Day Hill Road, a
15 distance of 52.14 feet to a point; thence Easterly, continuing along said

16 Day Hill Road, along a curve to the right having a radius of 930.00 feet,
17 a delta angle of $07^{\circ}07'17''$, and an arc distance of 115.59 feet to a point;
18 thence $N86^{\circ}22'45''E$, continuing along said Day Hill Road, a distance of
19 1,587.87 feet to a point; thence Easterly, continuing along said Day Hill
20 Road, along a curve to the left having a radius of 1,580.00 feet, a delta
21 angle of $06^{\circ}54'42''$, and an arc distance of 190.60 feet to a point at the
22 northwesterly corner of Lot 2; thence Easterly, along a curve to the
23 right having a radius of 45.00 feet, a delta angle of $88^{\circ}59'42''$, and an arc
24 distance of 69.90 feet to a point; thence $S11^{\circ}32'15''E$, a distance of 455.79
25 feet to a point; thence $S27^{\circ}32'54''E$, a distance of 175.00 feet to a point;
26 thence Southerly, along a curve to the right having a radius of 45.00
27 feet, a delta angle of $97^{\circ}42'38''$, and an arc distance of 76.74 feet to a
28 point; thence $S70^{\circ}09'44''W$, a distance of 23.50 feet to a point; thence
29 Southwesterly, along a curve to the left having a radius of 445.00 feet, a
30 delta angle of $21^{\circ}38'27''$, and an arc distance of 168.08 feet (chord
31 bearing $S59^{\circ}20'31''E$, a distance of 167.08 feet) to a point; thence
32 $S48^{\circ}31'18''W$, a distance of 324.47 feet to a point; thence $S41^{\circ}28'42''E$, a
33 distance of 204.91 feet to a point on the Windsor and Bloomfield town
34 line (the previous seven courses along said land of Lot 2); thence
35 $N73^{\circ}32'00''W$, along said town line, a distance of 1,320.13 feet to a point
36 on the Northerly sideline of said Blue Hills Avenue; thence
37 $N41^{\circ}30'09''W$, along said Blue Hills Avenue, a distance of 52.33 feet to a
38 point; thence Northwesterly, along a curve to the left having a radius
39 of 7,730.00 feet, a delta angle of $06^{\circ}07'56''$, and an arc distance of 827.33
40 feet to the point of beginning. Containing 34.81 acres or 1,516,321
41 square feet, more or less. And a certain parcel of land being situated on
42 the southerly side of Day Hill Road, Beginning point on the southerly
43 sideline of Day Hill Road at the northerly corner of the herein
44 described parcel, said point also being the northwest corner of land
45 shown as Combustion Federal Credit Union; thence $S73^{\circ}20'20''E$, along
46 said Combustion Federal Credit Union land, a distance of 447.06 feet to
47 a point at land shown as Culbro, Inc.; thence $S14^{\circ}39'31''W$, along said
48 Culbro, Inc. land, a distance of 1,174.99 feet to a point at land shown as
49 Lot A1; thence $N75^{\circ}20'29''W$, along said Lot A1, a distance of 1,154.31
50 feet to a point on the easterly sideline of Great Pond Drive; thence

51 Northerly, along said Great Pond Drive, along a curve to the left
52 having a radius of 638.00 feet, a delta angle of $40^{\circ}06'14''$, and an arc
53 distance of 446.57 feet to a point; thence Continuing northerly, along
54 said Great Pond Drive, along a curve to the right having a radius of
55 160.00 feet, a delta angle of $09^{\circ}04'07''$, and an arc distance of 25.32 feet
56 to a point; thence Continuing northerly, along said Great Pond Drive,
57 along a curve to the left having a radius of 160.00 feet, a delta angle of
58 $09^{\circ}04'07''$, and an arc distance of 25.32 feet to a point; thence
59 $N15^{\circ}35'42''E$, continuing along said Great Pond Drive, a distance of
60 119.77 feet to a point; thence Northeasterly, continuing along said
61 Great Pond Drive, along a curve to the right having a radius of 30.00
62 feet, a delta angle of $89^{\circ}49'57''$, and an arc distance of 47.04 feet to the
63 point of beginning. Containing 27.96 acres or 1,217,938 square feet,
64 more or less. And a certain parcel of land being situated on the
65 northerly side of Day Hill Road, being more particularly described as
66 follows: Beginning at 4x4 concrete bound on the northerly sideline of
67 Day Hill Road at the southeast corner of the herein described parcel,
68 said point also being the southwest corner of land of Prospect Hill
69 Realty, LLC; thence $S46^{\circ}02'28''W$, a distance of 516.94 feet to a point;
70 thence Southwesterly along a curve to the right having a radius of
71 975.00 feet, a delta angle of $28^{\circ}07'12''$, and an arc distance of 478.52 feet
72 to a point; thence $S74^{\circ}13'40''W$, a distance of 882.98 feet to a point;
73 thence Westerly along a curve to the left having a radius of 2,025.00
74 feet, a delta angle of $5^{\circ}16'00''$, and an arc distance of 186.14 feet to a
75 point; thence $S68^{\circ}57'40''W$, a distance of 952.41 feet to a point; thence
76 Westerly along a curve to the right having a radius of 244.35 feet, a
77 delta angle of $09^{\circ}29'30''$, and an arc distance of 1,475.00 feet to a point;
78 thence $S78^{\circ}27'10''W$, a distance of 382.24 feet to a point; thence
79 Westerly along a curve to the right having a radius of 1,475.00 feet, a
80 delta angle of $07^{\circ}55'00''$, and an arc distance of 203.80 feet a point;
81 thence $S86^{\circ}22'10''W$, a distance of 956.42 feet to a point at the
82 southeasterly corner of land of Hartford Life Insurance Company (the
83 previous nine courses by the northerly sideline of said Day Hill Road);
84 thence Northwesterly along a curve to the right having a radius of
85 25.00 feet, a delta angle of $90^{\circ}00'00''$, and an arc distance of 39.27 feet to

86 a point; thence N03°37'50"W, a distance of 75.00 feet to a point; thence
87 northwesterly along a curve to the left having a radius of 530.00 feet, a
88 delta angle of 41°39'33", and an arc distance of 385.36 feet to a point;
89 thence N12°48'54"E, a distance of 300.40 feet to a point; thence
90 N13°02'56"E, a distance of 983.21 feet to a point; thence N74°15'52"W, a
91 distance of 107.47 feet to a point; thence N18°43'28"E, a distance of
92 822.46 feet to a point on the southerly line of land of Roncari
93 Industries, Inc. (the previous seven courses by said land of Hartford
94 Life Insurance Company); thence S75°04'54"E, along said land of
95 Roncari Industries, Inc., a distance of 57.55 feet to an iron pin found;
96 thence N14°15'58"E, continuing along said land of Roncari Industries,
97 Inc., a distance of 2,532.76 feet to an iron pin found; thence
98 N75°17'03"W, continuing along said land of Roncari Industries, Inc., a
99 distance of 1,137.57 feet to an iron pin found; thence N13°37'40"E,
100 continuing along said land of Roncari Industries, Inc., a distance of
101 405.09 feet to a 6x6 concrete bound; thence N15°02'08"W, continuing
102 along said land of Roncari Industries, Inc., a distance of 425.09 feet to a
103 6x6 concrete bound found (tie point); thence Continuing N15°02'08"W,
104 along said land of Roncari Industries, Inc., a distance of approximately
105 43 feet to the Farmington River; thence Easterly, along the Farmington
106 River, a distance of approximately 2,567 feet to a point on the southerly
107 line of land of the Town of Windsor (landfill); thence S68°07'16"E,
108 along said land of the Town of Windsor (landfill), a distance of
109 approximately 7 feet to a stone bound (tie point) (tie line from first
110 mentioned tie point to second mentioned tie point bearing
111 N72°35'10"E, a distance of 2,209.11); thence Continuing S68°07'16"E,
112 continuing along said land of the Town of Windsor (landfill), a
113 distance of 2,104.39 feet to a point at other land of said Town of
114 Windsor; thence S06°23'10"W, along said land of Town of Windsor, a
115 distance of 212.87 feet to a point; thence S68°12'26"E, continuing along
116 said land of Town of Windsor, a distance of 1,084.98 feet to a point on
117 the westerly side of land of Farmington River Power Company; thence
118 S07°32'47"E, along said land of Farmington River Power Company, a
119 distance of 1,889.36 feet to a point; thence S13°03'38"W, along said land
120 of Farmington River Power Company, a distance of 279.44 feet to a 6x6

121 stone bound found at the northwest corner of land of Anna P. Sedor;
122 thence S12°54'12"W, along said Sedor land, a distance of 590.53 feet to
123 an iron pipe found on the northerly line of land of The Ferraina
124 Company, LLC; thence N77°21'42"W, along said The Ferraina
125 Company, LLC land, a distance of 160.15 feet to a 6x6 concrete bound
126 found; thence S14°55'12"W, continuing along said The Ferraina
127 Company, LLC land, land of FS Realty, LLC and said land of Prospect
128 Hill Realty, LLC, a distance of 1,182.22 feet to the point of beginning.
129 Containing 590.5 acres or 25,722,000 square feet, more or less. The
130 district boundaries shall also include any off-site locations mandated
131 by any permitting agency for improvements undertaken by the
132 district.

133 (2) "Voter" means (A) any person who is an elector of the district, (B)
134 any citizen of the United States of the age of eighteen years or more
135 who, jointly or severally, is liable to the district for taxes assessed
136 against such citizen on an assessment of not less than one thousand
137 dollars on the last-completed grand list of such district, as the case may
138 be, or who would be so liable if not entitled to an exemption under
139 subdivision (17), (19), (22), (23) or (26) of section 12-81 of the general
140 statutes, or (C) holders of record of an interest in real property within
141 the district.

142 (3) "Bonds" means bonds, notes or other obligations authorized by
143 this section.

144 (b) (1) Upon the petition of fifteen or more persons eligible to vote in
145 the town of Windsor, specifying the district for any or all of the
146 purposes set forth in this section, the town council of such town shall
147 call a meeting of the voters to act upon such petition, which meeting
148 shall be held at such place within such town and such hour as the town
149 council designates, not later than thirty days after such petition has
150 been received by the town council. Such meeting shall be called by
151 publication of a written notice of the same, signed by the town council
152 of the town of Windsor, at least fourteen days before the time fixed for
153 such meeting in two successive issues of some newspaper published or

154 circulated in such town. Not later than twenty-four hours before such
155 meeting, (A) two hundred or more voters or ten per cent of the total
156 number of voters of such proposed district, whichever is less, may
157 petition the town council, in writing, for a referendum of the voters of
158 such proposed district, or (B) the town council in its discretion may
159 order a referendum of the voters of such proposed district, on the sole
160 question of whether the proposed district should be established. Any
161 such referendum shall be held not less than seven or more than
162 fourteen days after the receipt of such petition or the date of such
163 order, on a day to be set by the town council for a vote by paper ballots
164 or by a "yes" or "no" vote on the voting machines, during the hours
165 between twelve o'clock noon and eight o'clock p.m.; except that such
166 town may, by vote of its town council, provide for an earlier hour for
167 opening the polls but not earlier than six o'clock a.m., notwithstanding
168 the provisions of any special act. If voters representing at least two-
169 thirds of the assessments of holders of record within the proposed
170 district cast votes in such referendum in favor of establishing the
171 proposed district, the town manager shall reconvene such meeting not
172 later than seven days after the day on which the referendum is held.
173 Upon approval of the petition for the proposed district by voters
174 representing at least two-thirds of the assessments of holders of record
175 within the proposed district present at such meeting, or if a
176 referendum is held, upon the reconvening of such meeting after the
177 referendum, the voters, upon the vote of voters representing a majority
178 of assessments of holders of record within the proposed district,
179 choose necessary officers therefor to hold office until the first annual
180 meeting thereof; and the district shall, upon the filing of the first report
181 filed in the manner provided in subsection (c) of section 7-325 of the
182 general statutes, thereupon be a body corporate and politic and have
183 the powers provided in sections 7-324 to 7-329, inclusive, of the general
184 statutes, not inconsistent with the general statutes or this section, in
185 relation to the objects for which it was established, that are necessary
186 for the accomplishment of such objects, including the power to lay and
187 collect taxes. The clerk of such district shall cause its name and a
188 description of its territorial limits and of any additions that may be

189 made thereto to be recorded in, and a caveat be placed upon, the land
190 records of the town of Windsor.

191 (2) At the meeting called for the purpose of establishing the district
192 as provided in subdivision (1) of this subsection, the voters may
193 establish the district for any or all of the following purposes: To light
194 streets, to plant and care for shade and ornamental trees, to plan, lay
195 out, acquire, construct, maintain and finance roads, sidewalks,
196 crosswalks, drains, sewers and sewage treatment facilities, utility
197 improvements and connections, parking facilities, open space,
198 bulkhead repairs, dredging and construction, environmental
199 remediation and other infrastructure improvements and to acquire,
200 construct, maintain and regulate the use of recreational facilities, to
201 plan, lay out, acquire, construct, reconstruct, repair, maintain,
202 supervise and manage a flood or erosion control system, to plan, lay
203 out, acquire, construct, maintain, operate, finance and regulate the use
204 of a community water system, all as hereinafter referred to as the
205 "improvements". The district may contract with a town, city, borough
206 or other district for carrying out any of the purposes or the purchase or
207 sale of any of the improvements for which such district was
208 established.

209 (3) (A) At the meeting called for the purpose of establishing the
210 district as provided in subdivision (1) of this subsection, the voters
211 shall fix the date of the annual meeting of the voters for the transaction
212 of such business as may properly come before such annual meeting.
213 The district shall have five directors. At such organization meeting of
214 the district, the voters shall elect four directors, and, upon the
215 organization of the district and at all times thereafter, one director shall
216 be appointed by the town council of the town of Windsor. From such
217 directors, the voters shall elect at the organizational meeting and
218 following each election of directors thereafter, a president, vice-
219 president, a clerk and a treasurer. The initial directors shall serve until
220 the first annual meeting and thereafter such directors shall be elected
221 or appointed, as applicable, for a term of four years. Not less than three
222 members of the board of directors shall be residents of the state.

223 Subject to the provisions of subdivision (4) of this subsection, not fewer
224 than fifteen voters of the district shall constitute a quorum for the
225 transaction of business at such organizational meeting of the district;
226 and, if fifteen voters are not present at such meeting, the town
227 manager may adjourn such meeting from time to time, until at least
228 fifteen voters are present.

229 (B) Special meetings of the district may be called on the application
230 of ten per cent of the total number of voters of such district or twenty
231 of the voters of such district, whichever is less, or by the president or
232 any three directors upon giving notice as provided in this subdivision.
233 Any special meeting called on the application of the voters shall be
234 held not later than twenty-one days after receiving such application.
235 Notice of the holding of the annual meeting and all special meetings
236 shall be given by publication of a notice of such meetings in a
237 newspaper having a general circulation in such district at least ten
238 days before the day of such meetings, signed by the president or any
239 three directors, which notice shall designate the time and place of such
240 meetings and the business to be transacted thereat. Two hundred or
241 more persons or ten per cent of the total number of voters of such
242 district, whichever is less, may petition the clerk of such district, in
243 writing, at least twenty-four hours prior to any such meeting,
244 requesting that any item or items on the call of such meeting be
245 submitted to the voters not less than seven or more than fourteen days
246 thereafter, on a day to be set by the district meeting or, if the district
247 meeting does not set a date, by the board of directors, or a vote by
248 paper ballots or by a "yes" or "no" vote on the voting machines, during
249 the hours between twelve o'clock noon and eight o'clock p.m., except
250 that any district may, by vote of its board of directors, provide for an
251 earlier hour for opening the polls but not earlier than six o'clock a.m.
252 The paper ballots or voting machine ballot labels, as the case may be,
253 shall be provided by the clerk. When such a petition has been filed
254 with the clerk, the president, after completion of other business and
255 after reasonable discussion, shall adjourn such meeting and order such
256 vote on such item or items in accordance with the petition; and any

257 item so voted may be rescinded in the same manner. The clerk shall
258 phrase such item or items in a form suitable for printing on such paper
259 ballots or ballot labels.

260 (C) As provided in subdivision (4) of this subsection, not fewer than
261 fifteen voters of the district shall constitute a quorum for the
262 transaction of business at any meeting of the district; and, if fifteen
263 voters are not present at such meeting, the president of the district or,
264 in such president's absence, the vice-president, may adjourn such
265 meeting from time to time, until at least fifteen voters are present; and
266 all meetings of the district where a quorum is present may be
267 adjourned from time to time by a vote of a majority of the voters
268 voting on the question. At any annual or special meeting, the voters
269 may, by a vote of two-thirds of those present and voting, discontinue
270 any purposes for which the district is established or undertake any
271 additional purpose or purposes enumerated in subdivision (2) of this
272 subsection.

273 (4) (A) A quorum for the transaction of business at the meeting
274 called for the purpose of establishing the district, as provided in
275 subdivisions (1) and (3) of this subsection, shall be either fifteen voters
276 of such district or a majority of the holders of record of interests in real
277 property within such district, as long as the assessments of such
278 holders of record constitute more than one-half of the total of
279 assessments for all interests in real property within such district. If
280 fifteen voters or a majority of the holders of record of interests in real
281 property within such district are not present at such meeting or the
282 assessments of such holders of record constitute less than one-half of
283 the total of assessments for all interests in real property within such
284 district, the town manager may adjourn such meeting, from time to
285 time, until at least fifteen voters or a majority of the holders of record
286 of interests in real property within such district are present and the
287 assessments of such holders of record constitute more than one-half of
288 the total of assessments for all interests in real property within such
289 district.

290 (B) For the transaction of business at any other meeting of the
291 district, a quorum shall be either fifteen voters of the district or a
292 majority of the holders of record of interests in real property within
293 such district, as long as the assessments for such holders of record
294 constitute more than one-half of the total of assessments for all
295 interests in real property within such district. If fifteen voters or a
296 majority of the holders of record of interests in real property within
297 such district are not present at such meeting or the assessments of such
298 holders of record constitute less than one-half of the total assessments
299 for all interests in real property within such district, the president of
300 the district, or in such president's absence, the vice-president, may
301 adjourn such meeting, from time to time, until at least fifteen voters or
302 a majority of the holders of record of interests in real property within
303 such district are present and the assessments of such holders of record
304 constitute more than one-half of the total of assessments for all
305 interests in real property within such district.

306 (5) In any case in which an action for a vote by the voters of the
307 district is to be initiated by the petition of such voters, in addition to
308 such other requirements as the general statutes or any special act may
309 impose, such petition shall be on a form prescribed or approved by the
310 clerk of such district, and each page of such petition shall contain a
311 statement, signed under penalties of false statement, by the person
312 who circulated the same, setting forth such circulator's name and
313 address, and stating that each person whose name appears on said
314 page signed the same in person in the presence of such circulator, that
315 the circulator either knows each such signer or that the signer
316 satisfactorily identified himself to the circulator and that all the
317 signatures on said page were obtained not earlier than six months
318 prior to the filing of said petition. Any page of a petition which does
319 not contain such a statement by the circulator shall be invalid. Any
320 circulator who makes a false statement in the statement hereinbefore
321 provided shall be subject to the penalty provided for false statement.
322 No petition shall be valid for any action for a vote by the voters at any
323 regular or special district meeting unless such petition shall be

324 circulated by a voter eligible to vote in such district.

325 (c) Whenever the officers of such district vote to terminate its
326 corporate existence and whenever a petition signed by ten per cent of
327 the total voters of such district or twenty of the voters of such district,
328 whichever is less, applying for a special meeting to vote on the
329 termination of the district is received by the clerk, the clerk shall call a
330 special meeting of the voters of such district, the notice of which shall
331 be signed by the officers thereof, by advertising the same in the same
332 manner as provided in section 7-325 of the general statutes. Not later
333 than twenty-four hours before any such meeting, two hundred or more
334 voters or ten per cent of the total number of voters, whichever is less,
335 may petition the clerk of the district, in writing, that a referendum on
336 the question of whether the district should be terminated be held in the
337 manner provided in section 7-327 of the general statutes. If, at such
338 meeting, a two-thirds majority of the voters present vote to terminate
339 the corporate existence of the district, or, if a referendum is held, two-
340 thirds of the voters casting votes in such referendum vote to terminate
341 the corporate existence of the district, the officers shall proceed to
342 terminate the affairs of such district. The district shall pay all
343 outstanding indebtedness and turn over the balance of the assets of
344 such district to the town of Windsor, if the town council of the town by
345 resolution authorizes such action. The district shall not be terminated
346 under this subsection until all of its outstanding indebtedness is paid
347 unless the town council of the town of Windsor agrees by resolution to
348 assume such indebtedness, which action the town council is
349 authorized to undertake notwithstanding the provisions of any of the
350 general statutes, or of any other public or special act or charter or
351 ordinance or resolution, to the contrary. On completion of the duties of
352 the officers of such district, the clerk shall cause a certificate of the vote
353 of such meeting to be recorded in the land records of the town of
354 Windsor and the clerk shall notify the Secretary of the Office of Policy
355 and Management.

356 (d) (1) For purposes of voting at meetings held by such district, any
357 tenant in common of any interest in real property shall have a vote

358 equal to the fraction of such tenant in common's ownership of such
359 interest. Any joint tenant of any interest in real property shall vote as if
360 each such tenant owned an equal fractional share of such real
361 property. A corporation shall have its vote cast by the chief executive
362 officer of such corporation, or such officer's designee. Any entity that is
363 not a corporation shall have its vote cast by a person authorized by
364 such entity to cast its vote. No owner shall have more than one vote.

365 (2) No holder of record of an interest in real property shall be
366 precluded from participating in any district meeting or referendum
367 because of the form of entity that holds such interest, whether such
368 holder of record is (A) a corporation, partnership, unincorporated
369 association, trustee, fiduciary, guardian, conservator or other form of
370 entity, or any combination thereof, or (B) an individual who holds
371 interests jointly or in common with another individual or individuals,
372 or with any one or more of the entities listed in subparagraph (A) of
373 this subdivision.

374 (e) Notwithstanding any provision of the general statutes, including
375 sections 7-324 to 7-329, inclusive, of the general statutes, the district
376 shall have the power to assess, levy and collect benefit assessments
377 upon the land and buildings in the district which, in its judgment, are
378 benefited by the improvements.

379 (f) (1) Notwithstanding any provision of the general statutes,
380 including sections 7-324 to 7-329, inclusive, of the general statutes, the
381 district shall have the power to fix, revise, charge, collect, abate and
382 forgive reasonable taxes, fees, rents and benefit assessments, and other
383 charges for the cost of the improvements, financing costs, operating
384 expenses and other services and commodities furnished or supplied to
385 the real property in the district in accordance with the applicable
386 provisions of the general statutes which apply to districts established
387 under section 7-325 of the general statutes, and this section and in the
388 manner prescribed by the district. Notwithstanding any provision of
389 the general statutes, the district may make grants for, or pay the entire
390 cost of any improvements, including the costs of financing such

391 improvements, capitalized interest and the funding of any reserve
392 funds necessary to secure such financing or the debt service of bonds
393 or notes issued to finance such costs, from taxes, fees, rents, benefit
394 assessments or other revenues and may assess, levy and collect said
395 taxes, fees, rents or benefit assessments concurrently with the
396 commencement of construction of the improvements or the issuance of
397 bonds, notes or other obligations to finance such improvements based
398 on the estimated cost of the improvements prior to the acquisition or
399 construction of the improvements or based on the actual cost of the
400 improvements upon the completion or acquisition of the
401 improvements.

402 (2) Notwithstanding any provision of the general statutes, whenever
403 the district constructs, improves, extends, equips, rehabilitates, repairs,
404 acquires or provides a grant for any improvements or finances the cost
405 of such improvements, such proportion of the cost or estimated cost of
406 the improvements and financing thereof, as determined by the district,
407 may be assessed by the district, herein referred to as "benefit
408 assessments", in the manner prescribed by such district, upon the
409 property benefited by such improvements and the balance of such
410 costs shall be paid from the general funds of the district. The district
411 may provide for the payment of such benefit assessments in annual
412 installments, not exceeding thirty, and may forgive such benefit
413 assessments in any single year without causing the remainder of
414 installments of benefit assessments to be forgiven. Benefit assessments
415 to buildings or structures constructed or expanded after the initial
416 benefit assessment may be assessed as if the new or expanded
417 buildings or structures had existed at the time of the original benefit
418 assessment.

419 (3) In order to provide for the collection and enforcement of its
420 taxes, fees, rents, benefit assessments and other charges, the district is
421 hereby granted all the powers and privileges with respect thereto as
422 districts organized pursuant to section 7-325 of the general statutes, or
423 as otherwise provided in this section. Such taxes, fees, rents or benefit
424 assessments, if not paid when due, shall constitute a lien upon the

425 premises served and a charge against the owners thereof, which lien
426 and charge shall bear interest at the same rate as delinquent property
427 taxes. Each such lien may be continued, recorded and released in the
428 manner provided for property tax liens and shall take precedence over
429 all other liens or encumbrances except a lien for taxes, fees, rents or
430 benefit assessments of the town of Windsor. Each such lien may be
431 continued, recorded and released in the manner provided for property
432 tax liens.

433 (4) The budget, taxes, fees, rents, benefit assessments and any other
434 charges of the district of general application shall be adopted and
435 revised by the board at least annually, not more than thirty days before
436 the beginning of the fiscal year, in accordance with the procedures to
437 be established by the board, at a meeting called by the board, assuring
438 that interested persons are afforded notice and an opportunity to be
439 heard. The board shall hold at least two public hearings on its schedule
440 of fees, rates, rents, benefit assessments and other charges or any
441 revision thereof before adoption, notice of which shall be delivered to
442 the town manager and the town clerk of the town of Windsor and be
443 published in at least two newspapers of general circulation in the town
444 of Windsor at least ten days in advance of the hearing. Not later than
445 the date of the publication, the board shall make available to the public
446 and deliver to the town manager and the town clerk of the town of
447 Windsor the proposed schedule of fees, rates, rents, benefit
448 assessments and other charges. The procedures regarding public
449 hearing and appeal provided by section 7-250 of the general statutes
450 shall apply for all benefit assessments made by the district, except that
451 the board shall be substituted for the water pollution control authority.
452 Should the benefit assessments be assessed and levied prior to the
453 acquisition or construction of the improvements, then the amount of
454 the benefit assessments shall be adjusted to reflect the actual cost of the
455 improvements, including all financing costs, once the improvements
456 have been completed, should the actual cost be greater than or less
457 than the estimated costs. Benefit assessments shall be due and payable
458 at such times as are fixed by the board, provided the district shall give

459 notice of such due date not less than thirty days prior to such due date
460 by publication in a newspaper of general circulation in the town of
461 Windsor and by mailing such notice to the owners of the property
462 assessed at their last-known address.

463 (g) (1) Notwithstanding any provision of the general statutes,
464 including sections 7-324 to 7-329, inclusive, of the general statutes
465 whenever the district has authorized the acquisition or construction of
466 the improvements or has made an appropriation therefor, the district
467 may authorize the issuance of up to one hundred forty million dollars
468 of bonds, notes or other obligations to finance the cost of the
469 improvements, the creation and maintenance of reserves required to
470 sell the bonds and the cost of issuance of the bonds provided no bonds
471 shall be issued prior to the district entering into an interlocal
472 agreement with the town of Windsor, in accordance with the
473 procedures provided by section 7-339c of the general statutes,
474 including at least one public hearing on the proposed agreement and
475 ratification by the town council. Such interlocal agreement may
476 without limitation include provisions regarding acquisition,
477 construction, equipping, and operation and administration of the
478 improvements; regarding acquisition by, transfer or lease to, or other
479 use by the town of all or any portion of the improvements; binding the
480 town or the district to appropriate funds as necessary to meet its
481 obligations under the agreement; and such other provisions as
482 determined by the town council and the district to be necessary or
483 desirable to carry out the purposes hereof. The bonds may be secured
484 as to both principal or interest by (A) the full faith and credit of the
485 district, (B) fees, revenues or benefit assessments, or (C) a combination
486 of subparagraphs (A) and (B) of this subdivision. Such bonds shall be
487 authorized by resolution of the board. The district is authorized to
488 secure such bonds by the full faith and credit of the district or by a
489 pledge of or lien on all or part of its revenues, fees or benefit
490 assessments. The bonds of each issue shall be dated, shall bear interest
491 at the rates and shall mature at the time or times not exceeding thirty
492 years from their date or dates, as determined by the board, and may be

493 redeemable before maturity, at the option of the board, at the price or
494 prices and under the terms and conditions fixed by the board before
495 the issuance of the bonds. The board shall determine the form of the
496 bonds, and the manner of execution of the bonds, and shall fix the
497 denomination of the bonds and the place or places of payment of
498 principal and interest, which may be at any bank or trust company
499 within the state of Connecticut and other locations as designated by
500 the board. In case any officer whose signature or a facsimile of whose
501 signature shall appear on any bonds or coupons shall cease to be an
502 officer before the delivery of the bonds, the signature or facsimile shall
503 nevertheless be valid and sufficient for all purposes the same as if the
504 officer had remained in office until the delivery.

505 (2) While any bonds issued by the district remain outstanding, the
506 powers, duties or existence of the district shall not be diminished or
507 impaired in any way that will affect adversely the interests and rights
508 of the holders of the bonds. Bonds issued under this section, unless
509 otherwise authorized by law, shall not be considered to constitute a
510 debt of the state of Connecticut or the town of Windsor, or a pledge of
511 the full faith and credit of the state of Connecticut or the town of
512 Windsor, but the bonds shall be payable solely by the district or as
513 special obligations payable from particular district revenues. Any
514 bonds issued by the district shall contain on their face a statement to
515 the effect that neither the state of Connecticut nor the town of Windsor
516 shall be obliged to pay the principal of or the interest thereon, and that
517 neither the full faith and credit or taxing power of the state of
518 Connecticut or the town of Windsor is pledged to the payment of the
519 bonds. All bonds issued under this section shall have and are hereby
520 declared to have all the qualities and incidents of negotiable
521 instruments, as provided in title 42a of the general statutes.

522 (h) (1) The board may authorize that the bonds be secured by a trust
523 agreement by and between the district and a corporate trustee, which
524 may be any trust company or bank having the powers of a trust
525 company within the state of Connecticut. The trust agreement may
526 pledge or assign the revenues. Either the resolution providing for the

527 issuance of bonds or the trust agreement may contain covenants or
528 provisions for protecting and enforcing the rights and remedies of the
529 bondholders as may be necessary, reasonable or appropriate and not in
530 violation of law.

531 (2) All expenses incurred in carrying out the trust agreement may be
532 treated as a part of the cost of the operation of the district. The pledge
533 by any trust agreement or resolution shall be valid and binding from
534 time to time when the pledge is made; the revenues or other moneys
535 so pledged and then held or thereafter received by the board shall
536 immediately be subject to the lien of the pledge without any physical
537 delivery thereof or further act; and the lien of the pledge shall be valid
538 and binding as against all parties having claims of any kind in tort,
539 contract or otherwise against the board, irrespective of whether the
540 parties have notice thereof. Notwithstanding any provision of the
541 Uniform Commercial Code, neither this subsection, the resolution or
542 any trust agreement by which a pledge is created need be filed or
543 recorded except in the records of the board, and no filing need be
544 made under title 42a of the general statutes.

545 (i) Bonds issued under this section are hereby made securities in
546 which all public officers and public bodies of the state of Connecticut
547 and its political subdivisions, all insurance companies, trust
548 companies, banking associations, investment companies, executors,
549 administrators, trustees and other fiduciaries may properly and legally
550 invest funds, including capital in their control and belonging to them;
551 and such bonds shall be securities which may properly and legally be
552 deposited with and received by any state or municipal officer or any
553 agency or political subdivision of the state of Connecticut for any
554 purpose for which the deposit of bonds of the state of Connecticut is
555 now or may hereafter be authorized by law.

556 (j) Bonds may be issued under this section without obtaining the
557 consent of the state of Connecticut or the town of Windsor, and
558 without any proceedings or the happening of any other conditions or
559 things other than those proceedings, conditions or things that are

560 specifically required thereof by this section, and the validity of and
561 security for any bonds issued by the district shall not be affected by the
562 existence or nonexistence of the consent or other proceedings,
563 conditions or things.

564 (k) The district and all its receipts, revenues, income and real and
565 personal property shall be exempt from taxation and benefit
566 assessments and the district shall not be required to pay any tax, excise
567 or assessment to or from the state of Connecticut or any of its political
568 subdivisions. The principal and interest on bonds or notes issued by
569 the district shall be free from taxation at all times, except for estate and
570 gift, franchise and excise taxes, imposed by the state of Connecticut or
571 any political subdivision thereof, provided nothing in this section shall
572 act to limit or restrict the ability of the state of Connecticut or the town
573 of Windsor to tax the individuals and companies, or their real or
574 personal property or any person living or business operating within
575 the boundaries of the district.

576 (l) The board shall at all times keep accounts of its receipts,
577 expenditures, disbursements, assets and liabilities, which shall be open
578 to inspection by a duly appointed officer or duly appointed agent of
579 the state of Connecticut or the town of Windsor. The fiscal year of the
580 district shall begin on July first and end on the following June thirtieth
581 or as otherwise established by section 7-327 of the general statutes. The
582 district shall be subject to an audit of its accounts in the manner
583 provided in the general statutes.

584 (m) (1) At such time as any construction or development activity
585 financed by bonds issued by the district is taking place, the clerk of the
586 district shall submit project activity reports quarterly to the Secretary
587 of the Office of Policy and Management and to the chairpersons of the
588 joint standing committee of the General Assembly having cognizance
589 of matters relating to finance, revenue and bonding.

590 (2) The district shall take affirmative steps to provide for the full
591 disclosure of information relating to the public financing and

592 maintenance of improvements to real property undertaken by the
593 district. Such information shall be provided to the town manager of the
594 town of Windsor, any existing residents and to all prospective
595 residents of the district. The district shall furnish each developer of a
596 residential development within the district with sufficient copies of
597 such information to provide each prospective initial purchaser of
598 property in such district with a copy, and any developer of a
599 residential development within the district, when required by law to
600 provide a public offering statement, shall include a copy of such
601 information relating to the public financing and maintenance of
602 improvements in the public offering statement.

603 (n) (1) This section shall be deemed to provide an additional,
604 alternative and complete method of accomplishing the purposes of this
605 section and exercising the powers authorized hereby and shall be
606 deemed and construed to be supplemental and additional to, and not
607 in derogation of, powers conferred upon the district by law and
608 particularly by sections 7-324 to 7-329, inclusive, of the general
609 statutes; provided insofar as the proceedings of this section are
610 inconsistent with any general statute or special act, or any resolution or
611 ordinance of the town of Windsor, this section shall be controlling.

612 (2) Except as specifically provided in this section, all other statutes,
613 ordinances, resolutions, rules and regulations of the state of
614 Connecticut and the town of Windsor shall be applicable to the
615 property, residents and businesses located in the district. Nothing in
616 this section shall in any way obligate the town of Windsor to pay any
617 costs for the acquisition, construction, equipping or operation and
618 administration of the improvements located within the district or for
619 the operation or administration of the district, or to pledge any money
620 or taxes to pay debt service on bonds issued by the district except as
621 may be agreed to in any interlocal agreements executed by the town of
622 Windsor and the district.

623 (o) Notwithstanding any other provision of this section or of any of
624 the general statutes, or of any other public or special act or charter or

625 ordinance or resolution to the contrary, not earlier than four years
626 from the effective date of this section, at the option of the town of
627 Windsor by resolution of the town council of the town of Windsor, the
628 district shall be merged into the town of Windsor if no bonds have
629 then been issued by the district. Upon such merger, any obligations of
630 the district shall become obligations of the town of Windsor and any
631 property which is owned by the district shall be distributed to the
632 town of Windsor.

633 (p) This section being necessary for the welfare of the town of
634 Windsor and its inhabitants shall be liberally construed to affect the
635 purposes hereof.

636 Sec. 2. (*Effective July 1, 2011*) (a) For purposes of this section:

637 (1) "District" means that certain real property, situated in the town
638 of Windsor, the County of Hartford and the state of Connecticut, the
639 Millbrook Greens Improvement District, a body politic and corporate
640 and deemed to be established pursuant to section 7-325 of the general
641 statutes, consisting of the area bounded and described as follows:
642 Beginning at a point marking the intersection of the easterly nonaccess
643 highway line of Interstate 91 with the southerly street line of Pigeon
644 Hill Road. Said point being the northwesterly corner of the parcel
645 herein described. Thence, S 80 degrees 59'15" E a distance of 158.57 feet
646 to a point of curvature. Thence, along a curve to the right having a
647 central angle of 02 degrees 43'36" a radius of 500 feet and an arc length
648 of 23.79 feet to a point. Said point bearing S 71 degrees 46'59"E a chord
649 distance of 23.79 feet from said point of curvature. Thence, S 69
650 degrees 53'24" E a distance of 414.51 feet to a point of curvature.
651 Thence, along a curve to the left having a central angle of 09 degrees
652 54'40" E a radius of 1327.02 feet and an arc length of 229.55 feet to a
653 point marking the northwesterly corner of land now or formerly of
654 Chang Yu Sun et. al. Said point bearing S 74 degrees 50'44" E a chord
655 distance of 229.26 feet from said point of curvature. Thence, S 10
656 degrees 7'10" W a distance of 255.40 feet along the westerly property
657 line of land of said Sun. Thence, S 84 degrees 26'51" E a distance of

519.45 feet to a point. Thence, S 41 degrees 03'0" E a distance of 262.87 feet to a point. Thence, S 78 degrees, 33'09" W a distance of 262.51 feet to a point. Thence, S 27 degrees 49'41" E a distance of 505.83 feet to a point. Thence, N 61 degrees 58'09" E a distance of 181.00 feet to a point. Thence, N 65 degrees 14'04" E a distance of 158.60 feet to a point. Thence, S 14 degrees 43'51" E a distance of 400.00 feet to a point. Thence, S 74 degrees 49'48" W a distance of 35.00 feet to a point. Thence, S 14 degrees 43'51" E a distance of 158.82 feet to a point. Thence, N 74 degrees 49'48" E a distance of 77.43 feet to a point in the northerly street line of Warham Street. The last ten courses being along residential subdivision property lines. Thence, along a curve to the left in the westerly street line of Warham Street having a central angle of 109 degrees 28'23" a radius of 37.50 feet and an arc length of 71.65 feet to a point marking the northwesterly corner of land now or formerly of Margaret Rosemary Jacques EST. Said point bearing S 20 degrees 05'37" W a chord distance of 61.24 feet from said point on the northerly street line of Warham Street. Thence, S 46 degrees 15'20" W a distance of 312.33 feet to a point in the northern property line of land now or formerly of James Walsh. Thence along said land of Walsh S 74 degrees 59'03" W a distance of 53.90 feet to a point. Thence, S 14 degrees 45'21" E a distance of 23.30 feet to a point. Thence, S 89 degrees 18'49" E a distance of 569.69 feet to a point marking the intersection of the westerly street line of Taylor Court and the southerly street line of Taylor Street. The last three courses being along land now of formerly of James Walsh. Thence, S 45 degrees 45'31" E a distance of 88.10 feet to a point. Thence, S 09 degrees 49'03" E a distance of 60.00 feet to a point. Thence, S 88 degrees 56'36" E a distance of 97.90 feet to a point. Thence, S 15 degrees 27'29" E a distance of 120.90 feet to a point. Thence, N 74 degrees 16'50" E a distance of 79.72 feet to a point. Thence, N 15 degrees 27'29" W a distance of 96.90 feet to a point. Thence, S 88 degrees 56'36" E a distance of 361.50 feet to a point. Thence, N 67 degrees 27'58" E a distance of 185.66 feet to a point marking the northwesterly corner of land now or formerly 165 Poquonock, LLC. The last eight courses being along residential subdivision property lines. Thence, S 25 degrees 30'32" E a distance of 150.13 feet to a point.

693 Thence, S 67 degrees 26'18" W a distance of 72.66 feet to a point.
694 Thence, S 06 degrees 54'44" E a distance of 245.59 feet to a point.
695 Thence, S 82 degrees 18'31" W a distance of 67.72 feet to a point.
696 Thence, S 20 degrees 51'27" E a distance of 80.84 feet to a point. Thence,
697 N 83 degrees 07'52" W a distance of 137.65 feet to a point. Thence, N 58
698 degrees 22'52" W a distance of 55.00 feet to a point. Thence, S 24
699 degrees 04'16" W a distance of 153.40 feet to a point marking the
700 northeasterly corner of land now or formerly of Robert M. Devito and
701 Margaret J. Devito. The last five courses being along residential
702 subdivision property lines. Thence, S 23 degrees 19'19" W a distance of
703 114.43 feet to a point. Thence, S 50 degrees 31'36" W a distance of
704 164.27 feet to a point. Thence, S 30 degrees 5'45" E a distance of 192.16
705 feet to a point in the northerly street line of Mack Street. Then last two
706 course being along land now or formerly of Windsor Independent
707 Living Association, Inc. Thence, S 53 degrees 32'55" W a distance of
708 64.61 feet along the northerly street line of Mack Street to the
709 southeasterly corner of land now or formerly of Richard Pullen Tr.,
710 Joseph Misak, David Sherwood & et. al. Thence, N 29 degrees 42'33" W
711 a distance of 381.03 feet along said land of Richard Pullen TR. et. al. to
712 a point. Thence, S 74 degrees 29'39" W a distance of 710.60 feet to a
713 point. Thence, S 6 degrees 16'31" E a distance of 240.00 feet to a point
714 on the northerly line of land now or formerly of Associates of
715 Williamsburg. Thence, S 86 degrees 27'19" W a distance of 364.67 feet
716 to the northeasterly corner of land now or formerly of James Walsh
717 and Virginia Ernst. Thence, S 85 degrees 37'39" W a distance of 190.98
718 feet to a point. Thence, S 86 degrees 47'39" W a distance of 214.30 feet
719 to a point on the easterly line of land now or formerly of William,
720 Joseph & Helen Bednarz. Thence, N 04 degrees 41'41" W a distance of
721 262.78 feet to a point. Thence, N 05 degrees 57'41" W a distance of
722 275.88 feet to a point. Thence, S 83 degrees 29'44" W a distance of 84.28
723 feet to a point. Thence, N 01 degree 17'54" W a distance of 1180.41 feet
724 to a point. Thence, S 87 degrees 57'15" W a distance of 500.64 feet to a
725 point. Thence, S 07 degrees 49'52" W a distance of 28.40 feet to a point.
726 Thence, N 89 degrees 31'56" W a distance of 171.50 feet to a point.
727 Thence, S 83 degrees 45'24" W a distance of 307.69 feet to a point in the

728 westerly nonaccess highway line of Interstate 91. The last eight courses
729 being along land now or formerly of Joseph, William & Helen Bednarz.
730 Thence, N 02 degrees 8'43" E a distance of 188.35 feet to a point.
731 Thence, N 09 degrees 34'08" E a distance of 250.21 feet to a point.
732 Thence N 12 degrees 55'39" E a distance of 201 feet to a point. Thence,
733 N 19 degrees 20'53" W a distance of 55.89 feet to a point. Thence, N 7
734 degrees 12'59" E a distance of 829.62 feet to the point and place of
735 beginning. The last five courses being along the westerly nonaccess
736 highway line of Interstate 91. Said parcel contains a total area of
737 4,141,795 square feet or 95.08 acres. The project boundaries shall also
738 include any off-site locations mandated by any permitting agency for
739 improvements associated with the project.

740 (2) "Voter" means (A) any person who is an elector of the district, (B)
741 any citizen of the United States of the age of eighteen years or more
742 who, jointly or severally, is liable to the district for taxes assessed
743 against such citizen on an assessment of not less than one thousand
744 dollars on the last-completed grand list of such district, as the case may
745 be, or who would be so liable if not entitled to an exemption under
746 subdivision (17), (19), (22), (23) or (26) of section 12-81 of the general
747 statutes, or (C) holders of record of an interest in real property within
748 the district.

749 (3) "Bonds" means bonds, notes or other obligations authorized by
750 this section.

751 (b) (1) Upon the petition of fifteen or more persons eligible to vote in
752 the town of Windsor, specifying the district for any or all of the
753 purposes set forth in this section, the town manager of such town shall
754 call a meeting of the voters to act upon such petition, which meeting
755 shall be held at such place within such town and such hour as the town
756 manager designates, not later than thirty days after such petition has
757 been received by the town manager. Such meeting shall be called by
758 publication of a written notice of the same, signed by the town
759 manager, at least fourteen days before the time fixed for such meeting
760 in two successive issues of some newspaper published or circulated in

761 such town. Not later than twenty-four hours before such meeting, (A)
762 two hundred or more voters or ten per cent of the total number of
763 voters of such proposed district, whichever is less, may petition the
764 town manager, in writing, for a referendum of the voters of such
765 proposed district, or (B) the town manager in his or her discretion may
766 order a referendum of the voters of such proposed district, on the sole
767 question of whether the proposed district should be established. Any
768 such referendum shall be held not less than seven or more than
769 fourteen days after the receipt of such petition or the date of such
770 order, on a day to be set by the town manager for a vote by paper
771 ballots or by a "yes" or "no" vote on the voting machines, during the
772 hours between twelve o'clock noon and eight o'clock p.m.; except that
773 such town may, by vote of its town council, provide for an earlier hour
774 for opening the polls but not earlier than six o'clock a.m.,
775 notwithstanding the provisions of any special act. If voters
776 representing at least two-thirds of the assessments of holders of record
777 within the proposed district cast votes in such referendum in favor of
778 establishing the proposed district, the town manager shall reconvene
779 such meeting not later than seven days after the day on which the
780 referendum is held. Upon approval of the petition for the proposed
781 district by voters representing at least two-thirds of the assessments of
782 holders of record within the proposed district present at such meeting,
783 or if a referendum is held, upon the reconvening of such meeting after
784 the referendum, the voters, upon the vote of voters representing a
785 majority of assessments of holders of record within the proposed
786 district, choose necessary officers therefor to hold office until the first
787 annual meeting thereof; and the district shall, upon the filing of the
788 first report filed in the manner provided in subsection (c) of section 7-
789 325 of the general statutes, thereupon be a body corporate and politic
790 and have the powers provided in sections 7-324 to 7-329, inclusive, of
791 the general statutes, not inconsistent with the general statutes or this
792 section, in relation to the objects for which it was established, that are
793 necessary for the accomplishment of such objects, including the power
794 to lay and collect taxes. The clerk of such district shall cause its name
795 and a description of its territorial limits and of any additions that may

796 be made thereto to be recorded in, and a caveat be placed upon, the
797 land records of the town of Windsor.

798 (2) At the meeting called for the purpose of establishing the district
799 as provided in subdivision (1) of this subsection, the voters may
800 establish the district for any or all of the following purposes: To
801 extinguish fires, to light streets, to plant and care for shade and
802 ornamental trees, to plan, lay out, acquire, construct, maintain and
803 finance roads, sidewalks, crosswalks, drains, sewers and sewage
804 treatment facilities, utility improvements and connections, parking
805 facilities, open space, bulkhead repairs, dredging and construction,
806 environmental remediation and other infrastructure improvements
807 and to acquire, construct, maintain and regulate the use of recreational
808 facilities, to plan, lay out, acquire, construct, reconstruct, repair,
809 maintain, supervise and manage a flood or erosion control system, to
810 plan, lay out, acquire, construct, maintain, operate, finance and
811 regulate the use of a community water system, all as hereinafter
812 referred to as the "improvements". The district may contract with a
813 town, city, borough or other district for carrying out any of the
814 purposes or the purchase or sale of any of the improvements for which
815 such district was established.

816 (3) At the meeting called for the purpose of establishing the district
817 as provided in subdivision (1) of this subsection, the voters shall fix the
818 date of the annual meeting of the voters for the election of district
819 officers and the transaction of such other business as may properly
820 come before such annual meeting. At such organization meeting of the
821 district, the voters shall elect five directors, provided, upon its
822 organization and at all times thereafter, one director may be appointed
823 by the town council of the town of Windsor. From such directors, the
824 voters shall elect at the organizational meeting a president, vice-
825 president, a clerk and a treasurer to serve until the first annual meeting
826 for the election of officers and thereafter such officers shall be elected
827 annually. Not fewer than three members of the board of directors shall
828 be residents of the state of Connecticut. Subject to the provisions of
829 subdivision (4) of this subsection, not fewer than fifteen voters of the

830 district shall constitute a quorum for the transaction of business at such
831 organizational meeting of the district; and if fifteen voters are not
832 present at such meeting, the town manager may adjourn such meeting
833 from time to time, until at least fifteen voters are present. Special
834 meetings of the district may be called on the application of ten per cent
835 of the total number of voters of such district or twenty of the voters of
836 such district, whichever is less, or by the president or any three
837 directors upon giving notice as provided in this subdivision. Any
838 special meeting called on the application of the voters shall be held not
839 later than twenty-one days after receiving such application. Notice of
840 the holding of the annual meeting and all special meetings shall be
841 given by publication of a notice of such meetings in a newspaper
842 having a general circulation in such district at least ten days before the
843 day of such meetings, signed by the president or any three directors,
844 which notice shall designate the time and place of such meetings and
845 the business to be transacted thereat. Two hundred or more persons or
846 ten per cent of the total number of voters of such district, whichever is
847 less, may petition the clerk of such district, in writing, at least twenty-
848 four hours prior to any such meeting, requesting that any item or items
849 on the call of such meeting be submitted to the voters not less than
850 seven or more than fourteen days thereafter, on a day to be set by the
851 district meeting or, if the district meeting does not set a date, by the
852 board of directors, or a vote by paper ballots or by a "yes" or "no" vote
853 on the voting machines, during the hours between twelve o'clock noon
854 and eight o'clock p.m., except that any district may, by vote of its
855 board of directors, provide for an earlier hour for opening the polls but
856 not earlier than six o'clock a.m. The paper ballots or voting machine
857 ballot labels, as the case may be, shall be provided by the clerk. When
858 such a petition has been filed with the clerk, the president, after
859 completion of other business and after reasonable discussion shall
860 adjourn such meeting and order such vote on such item or items in
861 accordance with the petition; and any item so voted may be rescinded
862 in the same manner. The clerk shall phrase such item or items in a
863 form suitable for printing on such paper ballots or ballot labels. Subject
864 to the provisions of subdivision (4) of this subsection, not fewer than

865 fifteen voters of the district shall constitute a quorum for the
866 transaction of business at any meeting of the district; and if fifteen
867 voters are not present at such meeting, the president of the district or,
868 in such president's absence, the vice-president, may adjourn such
869 meeting from time to time, until at least fifteen voters are present; and
870 all meetings of the district where a quorum is present may be
871 adjourned from time to time by a vote of a majority of the voters
872 voting on the question. At any annual or special meeting, the voters
873 may, by a majority vote of those present, discontinue any purposes for
874 which the district is established or undertake any additional purpose
875 or purposes enumerated in subdivision (2) of this subsection.

876 (4) (A) A quorum for the transaction of business at the meeting
877 called for the purpose of establishing the district, as provided in
878 subdivisions (1) and (3) of this subsection, shall be either fifteen voters
879 of such district or a majority of the holders of record of interests in real
880 property within such district, as long as the assessments of such
881 holders of record constitute more than one-half of the total of
882 assessments for all interests in real property within such district. If
883 fifteen voters or a majority of the holders of record of interests in real
884 property within such district are not present at such meeting or the
885 assessments of such holders of record constitute less than one-half of
886 the total of assessments for all interests in real property within such
887 district, the town manager may adjourn such meeting, from time to
888 time, until at least fifteen voters or a majority of the holders of record
889 of interests in real property within such district are present and the
890 assessments of such holders of record constitute more than one-half of
891 the total of assessments for all interests in real property within such
892 district.

893 (B) For the transaction of business at any other meeting of the
894 district, a quorum shall be either fifteen voters of the district or a
895 majority of the holders of record of interests in real property within
896 such district, as long as the assessments for such holders of record
897 constitute more than one-half of the total of assessments for all
898 interests in real property within such district. If fifteen voters or a

majority of the holders of record of interests in real property within such district are not present at such meeting or the assessments of such holders of record constitute less than one-half of the total assessments for all interests in real property within such district, the president of the district, or in such president's absence, the vice-president, may adjourn such meeting, from time to time, until at least fifteen voters or a majority of the holders of record of interests in real property within such district are present and the assessments of such holders of record constitute more than one-half of the total of assessments for all interests in real property within such district.

(5) In any case in which an action for a vote by the voters of the district is to be initiated by the petition of such voters, in addition to such other requirements as the general statutes or any special act may impose, such petition shall be on a form prescribed or approved by the clerk of such district, and each page of such petition shall contain a statement, signed under penalties of false statement, by the person who circulated the same, setting forth such circulator's name and address, and stating that each person whose name appears on said page signed the same in person in the presence of such circulator, that the circulator either knows each such signer or that the signer satisfactorily identified himself to the circulator and that all the signatures on said page were obtained not earlier than six months prior to the filing of said petition. Any page of a petition which does not contain such a statement by the circulator shall be invalid. Any circulator who makes a false statement in the statement hereinbefore provided shall be subject to the penalty provided for false statement. No petition shall be valid for any action for a vote by the voters at any regular or special district meeting unless such petition shall be circulated by a voter eligible to vote in such district.

(c) Whenever the officers of such district vote to terminate its corporate existence and whenever a petition signed by ten per cent of the total voters of such district or twenty of the voters of such district, whichever is less, applying for a special meeting to vote on the termination of the district is received by the clerk, the clerk shall call a

933 special meeting of the voters of such district, the notice of which shall
934 be signed by the officers thereof, by advertising the same in the same
935 manner as provided in section 7-325 of the general statutes. Not later
936 than twenty-four hours before any such meeting, two hundred or more
937 voters or ten per cent of the total number of voters, whichever is less,
938 may petition the clerk of the district, in writing, that a referendum on
939 the question of whether the district should be terminated be held in the
940 manner provided in section 7-327 of the general statutes. If, at such
941 meeting, a two-thirds majority of the voters present vote to terminate
942 the corporate existence of the district, or, if a referendum is held, two-
943 thirds of the voters casting votes in such referendum vote to terminate
944 the corporate existence of the district, the officers shall proceed to
945 terminate the affairs of such district. The district shall pay all
946 outstanding indebtedness and turn over the balance of the assets of
947 such district to the town of Windsor, if the legislative body of the town
948 authorizes such action. No district shall be terminated under this
949 subsection until all of its outstanding indebtedness is paid unless the
950 legislative body of the town of Windsor agrees in writing to assume
951 such indebtedness. On completion of the duties of the officers of such
952 district, the clerk shall cause a certificate of the vote of such meeting to
953 be recorded in the land records of the town of Windsor and the clerk
954 shall notify the Secretary of the Office of Policy and Management.

955 (d) (1) For purposes of voting at meetings held by such district, any
956 tenant in common of any interest in real property shall have a vote
957 equal to the fraction of such tenant in common's ownership of such
958 interest. Any joint tenant of any interest in real property shall vote as if
959 each such tenant owned an equal fractional share of such real
960 property. A corporation shall have its vote cast by the chief executive
961 officer of such corporation, or such officer's designee. Any entity that is
962 not a corporation shall have its vote cast by a person authorized by
963 such entity to cast its vote. No owner shall have more than one vote.

964 (2) No holder of record of an interest in real property shall be
965 precluded from participating in any district meeting or referendum
966 because of the form of entity that holds such interest, whether such

967 holder of record is (A) a corporation, partnership, unincorporated
968 association, trustee, fiduciary, guardian, conservator or other form of
969 entity, or any combination thereof, or (B) an individual who holds
970 interests jointly or in common with another individual or individuals,
971 or with any one or more of the entities listed in subparagraph (A) of
972 this subdivision.

973 (e) Notwithstanding any provision of the general statutes, including
974 sections 7-324 to 7-329, inclusive, of the general statutes, the district
975 shall have the power to assess, levy and collect benefit assessments
976 upon the land and buildings in the district which, in its judgment, are
977 benefited by the improvements.

978 (f) (1) Notwithstanding any provision of the general statutes,
979 including sections 7-324 to 7-329, inclusive, of the general statutes, the
980 district shall have the power to fix, revise, charge, collect, abate and
981 forgive reasonable taxes, fees, rents and benefit assessments, and other
982 charges for the cost of the improvements, financing costs, operating
983 expenses and other services and commodities furnished or supplied to
984 the real property in the district in accordance with the applicable
985 provisions of the general statutes which apply to districts established
986 under section 7-325 of the general statutes, and this section and in the
987 manner prescribed by the district. Notwithstanding any provision of
988 the general statutes, the district may make grants for, or pay the entire
989 cost of any improvements, including the costs of financing such
990 improvements, capitalized interest and the funding of any reserve
991 funds necessary to secure such financing or the debt service of bonds
992 or notes issued to finance such costs, from taxes, fees, rents, benefit
993 assessments or other revenues and may assess, levy and collect said
994 taxes, fees, rents or benefit assessments concurrently with the issuance
995 of bonds, notes or other obligations to finance such improvements
996 based on the estimated cost of the improvements prior to the
997 acquisition or construction of the improvements or upon the
998 completion or acquisition of the improvements.

999 (2) Notwithstanding any provision of the general statutes, whenever

1000 the district constructs, improves, extends, equips, rehabilitates, repairs,
1001 acquires or provides a grant for any improvements or finances the cost
1002 of such improvements, such proportion of the cost or estimated cost of
1003 the improvements and financing thereof as determined by the district,
1004 may be assessed by the district, herein referred to as "benefit
1005 assessments", in the manner prescribed by such district, upon the
1006 property benefited by such improvements and the balance of such
1007 costs shall be paid from the general funds of the district. The district
1008 may provide for the payment of such benefit assessments in annual
1009 installments, not exceeding thirty, and may forgive such benefit
1010 assessments in any single year without causing the remainder of
1011 installments of benefit assessments to be forgiven. Benefit assessments
1012 to buildings or structures constructed or expanded after the initial
1013 benefit assessment may be assessed as if the new or expanded
1014 buildings or structures had existed at the time of the original benefit
1015 assessment.

1016 (3) In order to provide for the collection and enforcement of its
1017 taxes, fees, rents, benefit assessments and other charges, the district is
1018 hereby granted all the powers and privileges with respect thereto as
1019 districts organized pursuant to section 7-325 of the general statutes,
1020 and as held by the town of Windsor or as otherwise provided in this
1021 section. Such taxes, fees, rents or benefit assessments, if not paid when
1022 due, shall constitute a lien upon the premises served and a charge
1023 against the owners thereof, which lien and charge shall bear interest at
1024 the same rate as delinquent property taxes. Each such lien may be
1025 continued, recorded and released in the manner provided for property
1026 tax liens and shall take precedence over all other liens or
1027 encumbrances except a lien for taxes of the town of Windsor. Each
1028 such lien may be continued, recorded and released in the manner
1029 provided for property tax liens.

1030 (4) The budget, taxes, fees, rents, benefit assessments and any other
1031 charges of the district of general application shall be adopted and
1032 revised by the board at least annually no more than thirty days before
1033 the beginning of the fiscal year, in accordance with the procedures to

1034 be established by the board, at a meeting called by the board, assuring
1035 that interested persons are afforded notice and an opportunity to be
1036 heard. The board shall hold at least two public hearings on its schedule
1037 of fees, rates, rents, benefit assessments and other charges or any
1038 revision thereof before adoption, notice of which shall be delivered to
1039 the town manager of the town of Windsor and be published in at least
1040 two newspapers of general circulation in the town of Windsor at least
1041 ten days in advance of the hearing. No later than the date of the
1042 publication, the board shall make available to the public and deliver to
1043 the town manager of the town of Windsor the proposed schedule of
1044 fees, rates, rents, benefit assessments and other charges. The
1045 procedures regarding public hearing and appeal, provided by section
1046 7-250 of the general statutes, shall apply for all benefit assessments
1047 made by the district, except that the board shall be substituted for the
1048 water pollution control authority. Should the benefit assessments be
1049 assessed and levied prior to the acquisition or construction of the
1050 improvements, then the amount of the benefit assessments shall be
1051 adjusted to reflect the actual cost of the improvements, including all
1052 financing costs, once the improvements have been completed, should
1053 the actual cost be greater than or less than the estimated costs. Benefit
1054 assessments shall be due and payable at such times as are fixed by the
1055 board, provided the district shall give notice of such due date not less
1056 than thirty days prior to such due date by publication in a newspaper
1057 of general circulation in the town of Windsor and by mailing such
1058 notice to the owners of the property assessed at their last-known
1059 address.

1060 (g) (1) Notwithstanding any provision of the general statutes,
1061 including sections 7-324 to 7-329, inclusive, of the general statutes,
1062 whenever the district has authorized the acquisition or construction of
1063 the improvements or has made an appropriation therefor, the district
1064 may authorize the issuance of up to ten million dollars of bonds, notes
1065 or other obligations to finance the cost of the improvements, the
1066 creation and maintenance of reserves required to sell the bonds and
1067 the cost of issuance of the bonds, provided no bonds shall be issued

1068 prior to the district entering into an interlocal agreement with the town
1069 of Windsor, in accordance with the procedures provided by section 7-
1070 339c of the general statutes, including at least one public hearing on
1071 the proposed agreement and ratification by the town council. The
1072 bonds may be secured as to both principal or interest by (A) the full
1073 faith and credit of the district, (B) fees, revenues or benefit assessments,
1074 or (C) a combination of subparagraphs (A) and (B) of this subdivision.
1075 Such bonds shall be authorized by resolution of the board. The district
1076 is authorized to secure such bonds by the full faith and credit of the
1077 district or by a pledge of or lien on all or part of its revenues, fees or
1078 benefit assessments. The bonds of each issue shall be dated, shall bear
1079 interest at the rates and shall mature at the time or times not exceeding
1080 thirty years from their date or dates, as determined by the board, and
1081 may be redeemable before maturity, at the option of the board, at the
1082 price or prices and under the terms and conditions fixed by the board
1083 before the issuance of the bonds. The board shall determine the form of
1084 the bonds, and the manner of execution of the bonds, and shall fix the
1085 denomination of the bonds and the place or places of payment of
1086 principal and interest, which may be at any bank or trust company
1087 within the state of Connecticut and other locations as designated by
1088 the board. In case any officer whose signature or a facsimile of whose
1089 signature shall appear on any bonds or coupons shall cease to be an
1090 officer before the delivery of the bonds, the signature or facsimile shall
1091 nevertheless be valid and sufficient for all purposes the same as if the
1092 officer had remained in office until the delivery.

1093 (2) While any bonds issued by the district remain outstanding, the
1094 powers, duties or existence of the district shall not be diminished or
1095 impaired in any way that will affect adversely the interests and rights
1096 of the holders of the bonds. Bonds issued under this section, unless
1097 otherwise authorized by law, shall not be considered to constitute a
1098 debt of the state of Connecticut or the town of Windsor, or a pledge of
1099 the full faith and credit of the state of Connecticut or the town of
1100 Windsor, but the bonds shall be payable solely by the district or as
1101 special obligations payable from particular district revenues. Any

1102 bonds issued by the district shall contain on their face a statement to
1103 the effect that neither the state of Connecticut nor the town of Windsor
1104 shall be obliged to pay the principal of or the interest thereon, and that
1105 neither the full faith and credit or taxing power of the state of
1106 Connecticut or the town of Windsor is pledged to the payment of the
1107 bonds. All bonds issued under this section shall have and are hereby
1108 declared to have all the qualities and incidents of negotiable
1109 instruments, as provided in title 42a of the general statutes.

1110 (h) (1) The board may authorize that the bonds be secured by a trust
1111 agreement by and between the district and a corporate trustee, which
1112 may be any trust company or bank having the powers of a trust
1113 company within the state of Connecticut. The trust agreement may
1114 pledge or assign the revenues. Either the resolution providing for the
1115 issuance of bonds or the trust agreement may contain covenants or
1116 provisions for protecting and enforcing the rights and remedies of the
1117 bondholders as may be necessary, reasonable or appropriate and not in
1118 violation of law.

1119 (2) All expenses incurred in carrying out the trust agreement may be
1120 treated as a part of the cost of the operation of the district. The pledge
1121 by any trust agreement or resolution shall be valid and binding from
1122 time to time when the pledge is made; the revenues or other moneys
1123 so pledged and then held or thereafter received by the board shall
1124 immediately be subject to the lien of the pledge without any physical
1125 delivery thereof or further act; and the lien of the pledge shall be valid
1126 and binding as against all parties having claims of any kind in tort,
1127 contract or otherwise against the board, irrespective of whether the
1128 parties have notice thereof. Notwithstanding any provision of the
1129 Uniform Commercial Code, neither this subsection, the resolution or
1130 any trust agreement by which a pledge is created need be filed or
1131 recorded except in the records of the board, and no filing need be
1132 made under title 42a of the general statutes.

1133 (i) Bonds issued under this section are hereby made securities in
1134 which all public officers and public bodies of the state of Connecticut

1135 and its political subdivisions, all insurance companies, trust
1136 companies, banking associations, investment companies, executors,
1137 administrators, trustees and other fiduciaries may properly and legally
1138 invest funds, including capital in their control and belonging to them;
1139 and such bonds shall be securities which may properly and legally be
1140 deposited with and received by any state or municipal officer or any
1141 agency or political subdivision of the state of Connecticut for any
1142 purpose for which the deposit of bonds of the state of Connecticut is
1143 now or may hereafter be authorized by law.

1144 (j) Bonds may be issued under this section without obtaining the
1145 consent of the state of Connecticut or the town of Windsor, and
1146 without any proceedings or the happening of any other conditions or
1147 things other than those proceedings, conditions or things that are
1148 specifically required thereof by this section, and the validity of and
1149 security for any bonds issued by the district shall not be affected by the
1150 existence or nonexistence of the consent or other proceedings,
1151 conditions or things.

1152 (k) The district and all its receipts, revenues, income and real and
1153 personal property shall be exempt from taxation and benefit
1154 assessments and the district shall not be required to pay any tax, excise
1155 or assessment to or from the state of Connecticut or any of its political
1156 subdivisions. The principal and interest on bonds or notes issued by
1157 the district shall be free from taxation at all times, except for estate and
1158 gift, franchise and excise taxes, imposed by the state of Connecticut or
1159 any political subdivision thereof, provided nothing in this section shall
1160 act to limit or restrict the ability of the state of Connecticut or the town
1161 of Windsor to tax the individuals and companies, or their real or
1162 personal property or any person living or business operating within
1163 the boundaries of the district.

1164 (l) The board shall at all times keep accounts of its receipts,
1165 expenditures, disbursements, assets and liabilities, which shall be open
1166 to inspection by a duly appointed officer or duly appointed agent of
1167 the state of Connecticut or the town of Windsor. The fiscal year of the

1168 district shall begin on July first and end on the following June thirtieth
1169 or as otherwise established by section 7-327 of the general statutes. The
1170 district shall be subject to an audit of its accounts in the manner
1171 provided in the general statutes.

1172 (m) (1) At such time as any construction or development activity
1173 financed by bonds issued by the district is taking place, the clerk of the
1174 district shall submit project activity reports quarterly to the Secretary
1175 of the Office of Policy and Management and to the chairpersons of the
1176 joint standing committee of the General Assembly having cognizance
1177 of matters relating to finance, revenue and bonding.

1178 (2) The district shall take affirmative steps to provide for the full
1179 disclosure of information relating to the public financing and
1180 maintenance of improvements to real property undertaken by the
1181 district. Such information shall be provided to any existing residents
1182 and to all prospective residents of the district. The district shall furnish
1183 each developer of a residential development within the district with
1184 sufficient copies of such information to provide each prospective initial
1185 purchaser of property in such district with a copy, and any developer
1186 of a residential development within the district, when required by law
1187 to provide a public offering statement, shall include a copy of such
1188 information relating to the public financing and maintenance of
1189 improvements in the public offering statement.

1190 (n) (1) This section shall be deemed to provide an additional,
1191 alternative and complete method of accomplishing the purposes of this
1192 section and exercising the powers authorized hereby and shall be
1193 deemed and construed to be supplemental and additional to, and not
1194 in derogation of, powers conferred upon the district by law and
1195 particularly by sections 7-324 to 7-329, inclusive, of the general
1196 statutes; provided insofar as the proceedings of this section are
1197 inconsistent with any general statute or special act, or any resolution or
1198 ordinance of the town of Windsor, this section shall be controlling.

1199 (2) Except as specifically provided in this section, all other statutes,

ordinances, resolutions, rules and regulations of the state of Connecticut and the town of Windsor shall be applicable to the property, residents and businesses located in the district. Nothing in this section shall in any way obligate the town of Windsor to pay any costs for the acquisition, construction, equipping or operation and administration of the improvements located within the district or to pledge any money or taxes to pay debt service on bonds issued by the district except as may be agreed to in any interlocal agreements executed by the town of Windsor and the district.

(o) At the option of the town of Windsor by vote of the town council of the town of Windsor, the district shall be merged into the town of Windsor if no bonds are issued by the district not later than four years after the effective date of this section or after the bonds authorized by this section are no longer outstanding and any property which is owned by the district shall be distributed to the town of Windsor.

(p) This section being necessary for the welfare of the town of Windsor and its inhabitants shall be liberally construed to affect the purposes hereof.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2011	New section
Sec. 2	July 1, 2011	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 12 \$	FY 13 \$
Windsor	Potential Cost	0 to 40,000	0 to 40,000

Explanation

The bill authorizes the creation of two districts within Windsor, to be named Great Pond Improvement District and Millbrook Green Improvement District.

If fifteen or more voters petition to establish either district, Windsor would incur

(a) minimal costs (estimated at less than \$1,000) associated with providing written notice of a meeting of the voters residing within the district's limits, as well as holding the meeting; and

(b) potential costs associated with conducting a referendum, if (1) 200 or more voters, or 10% of the total number of voters in the district, whichever is less, petition for a referendum, or (2) the town council orders a referendum. The cost of holding a referendum in a town of Windsor's size is estimated to range from \$15,000 - \$20,000.

Each newly created district would have the authority to collect and expend funds for the purpose for which it was established. Further, they are authorized to issue bonds (up to \$140 and \$10 million, respectively). This does not result in a state or municipal impact because such bonds would not be an obligation of the state or

Windsor.

To the extent that creation of either improvement district leads to property improvements, Windsor may experience an increase in its grand list.

House "A" strikes the original bill and its associated fiscal impact. The amendment authorizes the creation of the two districts within Windsor and results in the impact described above.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

HB 6100 (as amended by House "A")*

AN ACT CONCERNING REGIONAL PROPERTY TAX REVENUE SHARING.

SUMMARY:

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 15 Nay 5 (03/23/2011)

Finance, Revenue and Bonding Committee

Joint Favorable

Yea 35 Nay 16 (06/01/2011)